



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 6, 2007

CBCA 130

MOUNTAIN CLEARING & BRUSHING, INC.,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

David W. Lee, President of Mountain Clearing & Brushing, Inc., Grass Valley, CA,
appearing for Appellant.

Maria Giatrakis, Office of the General Counsel, Department of Agriculture, San
Francisco, CA, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

By letter dated July 18, 2006, Mountain Clearing & Brushing, Inc. (contractor) filed a notice of appeal. Under a task order issued under a contract, 53-9SCP-03-4K-13, with the Forest Service, the contractor was to burn and under-burn acreage within the Mt. Hough Ranger District of the Plumas National Forest, California. The contracting officer denied a claim for an equitable adjustment of \$47,524.69. This timely appeal under the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613, as amended, ensued. Following telephone conferences and the submission of the appeal file, the parties engaged in discussions. They settled the dispute. On February 6, 2007, the Board received a request for a dismissal with prejudice. The Board grants the request; the matter is **DISMISSED WITH PREJUDICE**.

JOSEPH A. VERGILIO
Board Judge